



U.S. Department of Justice

*United States Attorney
District of Maryland*

Patricia McLane
Assistant United States Attorney
Patricia.McLane@usdoj.gov

Suite 400
36 S. Charles Street
Baltimore, MD 21201-3119

DIRECT: 410-209-4942
MAIN: 410-209-4800
FAX: 410-962-0717

October 31, 2023

The Honorable James K. Bredar
Chief United States District Judge
District of Maryland
Edward A. Garmatz United States District Courthouse
101 W. Lombard Street
Baltimore, MD 21201

Re: Sentencing in *United States v. DeSean Johnson*
Crim. No. JKB-19-0036

Dear Chief Judge Bredar:

The Defendant, DeSean Johnson, is scheduled for sentencing on November 13, 2023, at 4 p.m. Johnson was a member of the drug trafficking organization run by the Triple C enterprise. Johnson pled guilty to Count Five charging possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c). This charge carries a mandatory 5-year sentence with a maximum possible sentence of life imprisonment. The Government writes in advance of the sentencing hearing to request of a sentence of 84-months' incarceration.

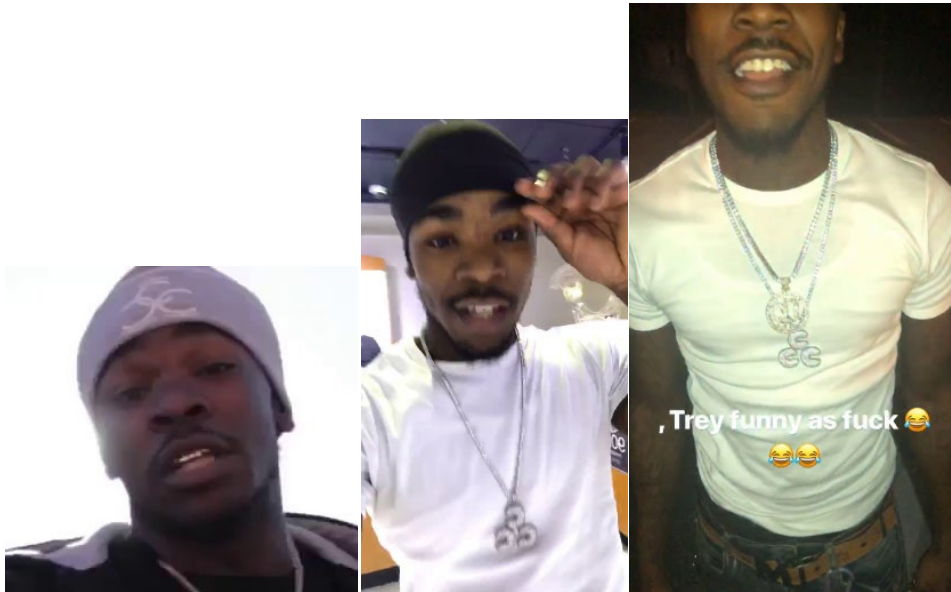
I. BACKGROUND

Johnson was a loyal member of Triple C and participated in the enterprise's drug shop. Baltimore City police officers arrested Johnson and co-defendant, Keishonne Moore, on December 4, 2018 during a routine traffic stop. They recovered a Glock 19 9mm handgun from Johnson's waistband and 157 gel caps of crack from Moore. Law enforcement also recovered Johnson's cellphone during the arrest. Inside the phone law enforcement found a treasure trove of Johnson's affiliation with Triple C. They found photos of Johnson and other enterprise members dressed in Triple C apparel; photos of Johnson with firearms; and text messages referencing narcotics possession and sales. The evidence found in Johnson's phone suggests he was not just part of the drug shop but a member of Triple C who knew the enterprise conducted acts of violence to protect their territory and reputation. Viewed most favorably to the Government, the photos are evidence of Johnson's willingness to commit acts of violence in the name of Triple C, though candidly there is no evidence in the phone of Johnson committing actual violence.

A. Triple C Photos

Law enforcement recovered multiple photographs of Johnson wearing Triple C apparel and

jewelry.



The “Trey” reference in the picture above at the far right is Wayne Gilliam, an indicted member of the Triple C enterprise.



The photograph on the left depicts Johnson (wearing a Triple C necklace) with T.F., an associate of Triple C (wearing a necklace associated with Triple C); the photograph on the right is Johnson (wearing the same necklace as Ford) and indicted Triple C member Tyeshawn Rivers.



The photograph on the right is Johnson with other Triple C members to include indicted co-defendants Keishonne Moore (white tee-shirt), Raekwon McMann (army green shirt), Wayne Gilliam (in mask), and Gary Creek (in CCC hat).

B. Guns



Johnson, on the left holding a firearm with an extended magazine; to the right, a firearm with an extended magazine.

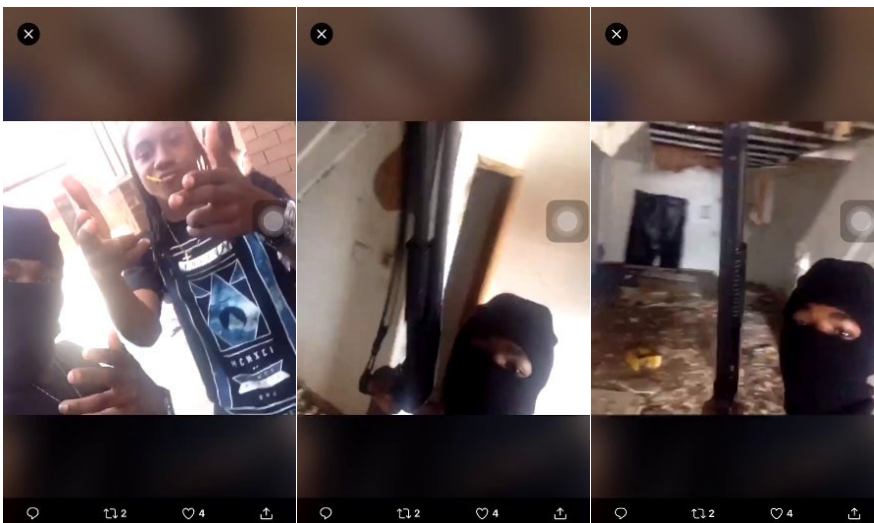


Text accompanied the photos above that indicated Johnson wanted to purchase the assault weapon.

Another individual sent Johnson the assault weapon pictured below. Johnson texted the owner in response, “just let me use it”.



Johnson got his hands on a weapon on or about November 2018, shortly before his arrest in this matter. Below are stills from a video starring Johnson and T.F. Johnson, in the black ski mask, is holding a black shotgun in a vacant home.



C. Narcotics

Johnson had dozens of text conversations with others regarding possession, distribution, and sale of narcotics. For example, on September 22, 2018, Johnson exchanged text messages with an unknown buyer about Johnson selling drugs. The potential buyer was weary about purchasing such a large amount and Johnson advised him how to sell it all:

JOHNSON: ...got a half of pound for a band bro
UNK: For how much
JOHNSON: stack
UNK: Who going haft wit me
...
JOHNSON: uh half a pound only a stack you making out and you can network and sell it round the way that shit ain't hard bro what you talking about?

Johnson had another text conversation with an indicted Triple C member, Darien Coleman, on October 2, 2018, about Johnson's intention to open a drug shop and needing hitters:

JOHNSON: Rey open a smack block...on one of these blocks and I need a lor team that's about money
COLEMAN: ...he ain't no shit baller he def can get some money he need consistent work and he going be right he got a couple of sales already...he trying get some money
JOHNSON: tell em hit me

On October 29, 2018, Johnson texted Z.T. about Z.T.'s friend setting up a drug shop and needing product:

Z.T.: My mans trying open up shop up York Rd
JOHNSON: wit wat o
Z.T.: Girl and boy
JOHNSON: damm [sic] I ga re up again cuz. I just handed that shit out

These pictures and text messages illustrate that Johnson's criminal involvement was not limited to the traffic stop on December 4, 2018. Rather, he was part of a violent criminal enterprise and requires a variant sentence of 84 months' incarceration.

II. UNITED STATES SENTENCING GUIDELINES

The Government agrees with the Sentencing Guidelines calculations in the Pre-Sentencing Report ("PSR"). ECF 1268 at ¶ 13. The Government further agrees with the Criminal History calculation which concludes that Thompson has a criminal history category of III. *Id.* at ¶ 20. The guideline sentence is the term of imprisonment required by statute, which is the mandatory minimum sentence of 60 months.

III. THE RELEVANT SECTION 3553(a) FACTORS

A sentence of 84 months' imprisonment is sufficient but not greater than necessary to achieve the purposes of sentencing under Section 3553(a). Johnson embraced the Triple C lifestyle. He sold drugs for the enterprise. He possessed a firearm and attempted to possess other weapons, including large assault-style weapons. He displayed his allegiance by donning apparel and jewelry. 84 months' incarceration is necessary to provide just punishment, afford adequate deterrence, and protect the public.

A. Nature and Circumstances of the Offense, the Seriousness of the Offense, and the Need to Protect the Public from Further Crimes of the Defendant

There can be little, if any, debate that gun and drug possession plague Baltimore City and are the reasons for most of the City's violence. The possession of a firearm and drugs on December 4, 2018, in and of itself supports a variant sentence. However, as illustrated *supra*, this was not an isolated incident. Johnson promoted and sought the glory of a violent criminal enterprise. These neighborhood gangs are rife in the city and there is strength in numbers. Query whether Johnson, if alone, could be so brazen. That is the power of being in a group and one that needs to be suppressed. A sentence of 84 months is sufficient but not greater than necessary to protect the public from Johnson.

B. History and Characteristics of the Offender

Johnson's life is familiar to many in Baltimore City. He lacks education and employment. He lacks direction and focus. But instead of using these misfortunes to motivate himself through hard work, Johnson turned to a life of crime. He committed an armed robbery immediately upon turning 18 and served approximately two years before being released on probation. He did not participate in any programs offered to change his trajectory; rather, he continued his criminal activity. He was on probation at the time of this instant offense and faces additional incarceration for violating probation at the conclusion of his federal case. If Johnson does not use this as an opportunity to turn his life around, it may be his last chance.

His behavior at Chesapeake Detention Center ("CDF") pending disposition does not give the Government much hope of a turn around. Johnson and two other co-defendants (Moore and Diontay Demory) severely assaulted another inmate on April 8, 2021, sending the victim to the hospital. And this was not Johnson's first assault. On July 14, 2020, Johnson fought with several other inmates. He also possessed a dangerous weapon while at CDF. Correctional officers recovered a six-inch blade in Johnson's cell.

C. The Need to Afford Adequate Deterrence.

Taking deterrence into account, an 84-month sentence is the appropriate sentence in this case. First, this period of incarceration is warranted because of the seriousness of the crime Johnson admits to committing. It will protect society from further crimes committed by Johnson.

Second, the requested 84-month sentence sends a meaningful message to the community that if you possess firearms and drugs you face a significant period of incarceration.

Finally, the recommended sentence will provide Johnson with a useful period of time to prepare himself to return to society and, the Government hopes, a crime-free life.

IV. CONCLUSION

For these reasons, the Government respectfully submits that 84-months' imprisonment would be sufficient but not greater than necessary to achieve the purposes of sentencing under Section 3553(a).

Very truly yours,

Erek L. Barron
United States Attorney

/s/
Patricia McLane
Michael C. Hanlon
Assistant United States Attorneys

cc: counsel of record